

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

IN RE: COMMUNITY HEALTH)	
SYSTEMS, INC., CUSTOMER)	MASTER FILE NO.
SECURITY DATA BREACH)	15-CV-222-KOB
LITIGATION)	
(MDL 2595))	THIS DOCUMENT RELATES TO ALL CASES
)	

**PLAINTIFFS' SUPPLEMENT TO THE CONSOLIDATED AMENDED
CLASS ACTION COMPLAINT**

Pursuant to the Court's Partial Order on Motion to Dismiss (ECF No. 125), Plaintiffs hereby submit the following amendment to their previously filed Consolidated Amended Class Action Complaint ("CACAC") (ECF No. 53), and note that the following numbered paragraphs supersede and replace the similarly numbered paragraphs in the CACAC:

14. Plaintiff Kathy Ellzey ("Plaintiff Ellzey"), a resident of Hokes Bluff, Alabama, was treated at Gadsden Regional Hospital, a CHS facility, in April and August 2014. As part of the patient-admission process, Plaintiff Ellzey was required to provide CHS with her confidential patient data, which CHS promised would be protected in accordance with industry standards and as mandated by law. Plaintiff Ellzey's confidential patient data was misappropriated and exposed to identity thieves in and as a result of the CHS data breach and she suffered cognizable injury thereby. Since the data breach at CHS, Plaintiff Ellzey has

experienced unauthorized charges placed on her credit card, and has spent approximately 30 hours addressing the theft of her identity and has expended her own funds to cover postage expenses related to the data breach. Also, shortly after the initial hack of CHS's network in April 2014, Plaintiff Ellzey's email was hacked. The confidential patient data stolen from CHS, including her name, address, social security number, email address, and passwords, were the types of information needed by the cyber-thieves to hack Plaintiff Ellzey's email account. Plaintiff Ellzey did not store her confidential patient data on her computer or other media devices, and stored it in a safe and secure place, and, prior to the CHS data breach, Plaintiff Ellzey had never been a victim of a data breach or identity theft that would have allowed her email to be hacked. Plaintiff Ellzey has spent at least \$5.00 on postage fees in connection with ramifications of the data breach. Plaintiff Ellzey faces an ongoing, imminent, certainly impending threat of future additional harm from the theft of her confidential patient data, like all members of the proposed class.

44. Plaintiff William Lutz ("William Lutz"), a resident of Lafayette Hill, Pennsylvania, was treated at Northwest Internal Medicine, which is connected with Chestnut Hill Hospital, a CHS facility, two times per year from 2010 to the present, including a visit on February 2, 2014, two months prior to the CHS data breach. As part of the patient-admission process, Plaintiff Lutz was required to

provide CHS with his confidential patient data, which CHS promised would be protected in accordance with industry standards and as mandated by law. Plaintiff Lutz' confidential patient data was misappropriated and exposed to identity thieves in and as a result of the CHS data breach and he suffered cognizable injury thereby. Starting in October, 2014 and continuing through the present, third parties have hacked into Plaintiff Lutz' email, changed his passwords repeatedly, and used Plaintiff's email account to identify his financial assets and credit accounts and have further used it to communicate with financial institutions and others to set up new accounts in Plaintiff Lutz' name. Plaintiff Lutz has experienced unauthorized charges on his credit cards, withdraws from a hotel points account, and third parties have attempted to open at least two different foreign exchange accounts in Plaintiff Lutz' name. To address these activities, Plaintiff Lutz has spent a significant amount of time calling and corresponding with his email provider, credit card issuers, banks, financial institutions involved in foreign currency exchange, local police, the office of Social Security, Pay Pal, the Internal Revenue Service, credit reporting agencies, and Chex Systems. Plaintiff Lutz has also been in touch with elected officials, trying to regain control of his identity. In some instances, Plaintiff Lutz has expended his own funds to address these thefts. Plaintiff Lutz faces an ongoing, imminent, certainly impending threat of future additional harm from the theft of his confidential patient data, like all members of

the proposed class.

Plaintiffs reserve the right to seek leave to further amend the CACAC (ECF No. 53) pursuant to Fed. R. Civ. P. 15.

Dated: April 29, 2016

By: s/ Karen Hanson Riebel
**Friedman, Dazzio, Zulanas & Bowling,
P.C.**

Jeffrey E. Friedman
Christopher J. Zulanas
John Michael Bowling
3800 Corporate Woods Drive
Birmingham, AL 35242
jfriedman@friedman-lawyers.com
czulanas@friedman-lawyers.com
mbowling@friedman-lawyers.com

Lockridge Grindal Nauen P.L.L.P.

Karen Hanson Riebel
Kate M. Baxter-Kauf
100 Washington Ave. S.
Suite 2200
Minneapolis, MN 55113
khriebel@locklaw.com
kmbaxter-kauf@locklaw.com

Plaintiffs' Co-Lead Counsel

Pittman, Dutton, Hellums, P.C.

Christopher T. Hellums
2001 Park Pl, #1100
Birmingham, AL 35203
chrish@pittmandutton.com

Plaintiffs' Liaison Counsel

Carlson Lynch Sweet & Kilpela

Gary F. Lynch
Edwin J. Kilpela
Jamisen A. Etzel
PNC Park
115 Federal Street, Suite 210
Pittsburg, PA 15212
glynch@carlsonlynch.com
ekilpela@carlsonlynch.com
jetzel@carlsonlynch.com

Wood Law Firm LLC

Kirk Wood
PO Box 382434
Birmingham, AL 35238
kirk@woodlawfirmllc.com

Beasley Allen Crow Methvin Portis & Miles PC

Andrew E. Brashier
Gibson Vance
Julia A. Beasley
W. Daniel Miles
218 Commerce Street
Montgomery, AL 36104
Andrew.Brashier@beasleyallen.com
gibson.vance@beasleyallen.com
julia.beasley@beasleyallen.com
dee.miles@beasleyallen.com

Goldman Scarlato & Penny, P.C.

Brian Penny
Mark Goldman
101 E. Lancaster Ave., Suite 204
Wayne, PA 19087
penny@lawgsp.com
goldman@lawgsp.com

Lite DePalma Greenberg, LLC

Katrina Carroll
212 W. Wacker Drive, Suite 500
Chicago, IL 60606
kcarroll@litedepalma.com

Slack & Davis LLP

Paula Knippa
2705 Bee Cave Road, Suite 220
Austin, TX 78746
pknippa@slackdavis.com

McCallum Methvin & Terrell PC

Robert Methvin
James M. Terrell
2201 Arlington Avenue South
Birmingham, AL 35205
rgm@mmlaw.net
jterrell@mmlaw.net

Plaintiffs' Steering Committee

Stewart & Stewart PC

Donald W. Stewart

Greg Foster

1826 3rd Avenue North, Suite 300

Bessemer, AL 35021

donalddwstewart5354@yahoo.com

greg@stewartandstewart.net

Additional Plaintiffs' Counsel